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Staff: Trever Parker
Staff Report: March 5, 2007
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Commission Action:

STAFF REPORT: CITY OF TRINIDAD

APPLICATION NO: 2007-01

APPLICANT (S): Peter Van Aylea

AGENT: NA

PROJECT LOCATION: Chevron Station, corner of Main St. and Patrick's Point Dr.

PROJECT DESCRIPTION: Design Review and Coastal Development Permit to repaint building, install new sign faces, new canopy fascias, one with backlighting, install new pump valances, remove existing 'flag' price sign and install a new 'monument' price sign in a different location. In addition, review of several existing signs placed without approval will occur.

ASSESSOR'S PARCEL NUMBER: 042-051-30

ZONING: C – Commercial

GENERAL PLAN DESIGNATION: C – Commercial

ENVIRONMENTAL REVIEW: Categorically Exempt from CEQA per §15301 exempting maintenance and minor alterations of existing facilities and §15303 of the CEQA Guidelines exempting new construction of small structures.

APPEAL STATUS:

Planning Commission action on a coastal development permit, a variance or a conditional use permit, and Design Assistance Committee approval of a design review application will become final 10 working days after the date that the Coastal Commission receives a "Notice of Action Taken" from the City unless an appeal to the City Council is filed in the office of the City Clerk at that time. Furthermore, this project ____ is **X** **is not** appealable to the Coastal Commission per the requirements of Section 30603 of the Coastal Act.

SITE CHARACTERISTICS:

The property is located on the northwest corner of the intersection of Main Street and Patrick's Point Drive and access is available from both streets. The site was developed as a service station in 1971. The gas station was torn down in 1992 and rebuilt in 1994. The current station has four pumps and a food mart building containing an 'Aztec Grill' and a variety of other standard gas station services, such as a pay phone and propane refilling tank. The lot is approximately one acre in size. Highway 101 is located to the east of the site, Murphy's Market to the south and the Museum / Park property to the north and west. The site is generally flat and is constructed on fill placed during the construction of Hwy 101.

STAFF COMMENTS:

The main purpose of this project is to update the gas station with the new Chevron logos as well as general maintenance and upkeep. The applicant has also expressed a willingness to work with the Gateway Committee to implement some of their recommendations to improve aesthetics around the entrance of town. After submitting the application materials, the applicant met with the Gateway Committee at one of their meetings to present the project and receive feedback. The next day, the applicant, staff, some members of the Gateway Committee and others met onsite to discuss the changes proposed in the application along with the possibility of other changes that the Gateway Committee would like to see. The applicant has since proposed some of those recommendations as part of this application. The Gateway Committee will be giving a presentation during the hearing for this project. They have specifically requested that they be allowed as much time as they need and not be limited to the standard public comment time limit. I assured them that this would not be a problem, as there was rarely a need to enforce time limits at the Planning Commission hearings anyway. I assumed that the Planning Commission would not object to a longer presentation from this official City group that has been working diligently over the last six years to improve the entrance to town.

Referrals were sent to the Building Official and City Engineer. The Engineer had no comments. The Building Official noted that several elements of the project would require a building permit.

Several aspects of this project could be exempt from Coastal Development Permit requirements, and even Design Review. Repainting the building is normally considered exempt from both. Simply replacing sign and canopy faces would also be exempt, falling under 'normal maintenance', except changing the appearance technically requires Design Review. Keep in mind that for most projects, particularly residential, replacing something such as siding with similar materials and colors is considered exempt, even if there are some minor differences, especially in color. Most of the changes proposed as part of this application are similarly minor and involve only maintenance with a slight change in the design of the Chevron logo. By themselves, some of the individual aspects of the project could be exempt; however, taken together, the overall project does constitute a change in the appearance of the property requiring Design Review approval.

Most of the work being proposed is badly needed maintenance that is intended to improve the appearance of the station. Some of the components of the project are in conjunction with the change in the Chevron logo, some are simply maintenance and others are voluntary by the applicant in order to comply with Gateway Committee recommendations. The applicant has expressed a willingness to work with the Planning Commission and Gateway Committee to negotiate changes to improve the appearance of the site.

PROJECT DESCRIPTION

Because the application materials are not completely clear, I have provided a summary below of the proposed project elements. I have also provided a list of the potential future projects that have been discussed.

Changes requested as part of the pending Design Review application, #2007-01

- Repaint the building: The bottom, textured half of the building will be an olive color (PPG Stone Grey / color chip Tropical Tan). The upper 2/3 of the building, including the top that currently contains stripes of red, grey, blue and white, will be repainted. The new coloration for the top will be a tan color (PPG Southern Breeze / color chip Frost). Color strips were provided with the application and will be available at the meeting.
- Install new sign faces on the two freestanding signs: This includes the large 70' tall sign, and the price sign near the intersection of Patrick's Point Drive and Main Street. I have included a color image of the new logo in your packets. This portion of the project involves just the replacement of the existing sign faces with the old logo with new faces with the new logo of the same size and orientation. No changes to the sign structures are proposed (*Note - this has changed since the original submission – see below).
- Install new individual pump valences to replace the pump spanners that were recently removed: The old valences that were removed ran the entire width (approx. 37' long by 3' tall) of the canopy from pump to pump as shown on the approved 1993 plans (included in your packet). New valences will be placed over each pump and be slightly wider than each pump, as shown on the current plans with the new Chevron logo on them. Although there is no specified scale on the submitted drawing, judging by the person in the drawing, they will be approximately 5' by 2' each with approximately 2.5 sq. ft. logos. These new valences will be lit internally by LED lighting rather than lit from above as the spanners previously were.
- Install new canopy fascia panels with one side backlit with dark blue LED lighting: This entails replacing the panels on all four sides of the canopy. The panels on the two long sides with the Chevron lettering will be replaced with basically the same panel, but with updated lettering / coloring. The panel on the short side facing the building will also be replaced with the same type of panel. The panel on the short side facing the town entrance (southeast) with the Chevron logo is the one proposed to be backlit with blue lighting. Although the application materials do not differentiate which panel was to be backlit, during our onsite meeting, the applicant stated that that side would be preferred.

This panel will also contain the new Chevron logo in approximately the same location and dimensions as the existing logo. A photo of what this new backlighting will be like has been provided in your packets. Note that the photo shows the panels on two sides; for this project backlighting is proposed for on the southwest facing panel with the logo, not the lettering panels.

- * Relocation and replacement of the large, 'flag' price sign: Although this proposal was not part of the original application, it was an important component of the discussions with Gateway Committee members. The applicant has stated a desire to go ahead with this portion of the project as part of the currently pending application. The proposal would be to move the sign to the next planter further west on Main Street and replace it with a lower and smaller 'monument' type sign. The applicant is willing to make this change at his own cost. The plans show that the sign itself will be approximately 8.5' by 6' not including the mounting, which will be finished with rock work as shown in the sample photo provided.

In addition to the above currently proposed changes, the applicant has also expressed (verbally and in writing) a willingness to make and allow other changes to improve the appearance of the gas station property and incorporate some of the recommendations of the Gateway Committee. Some of these changes would have to be formally submitted in an application for Design Review.

- Offering the use of the planter at the corner of Main Street and Patrick's Point Drive for development / landscaping by the Gateway Committee: This would not be at the applicant's cost, and the applicant is requesting final approval of whatever is proposed. Landscaping portions of this project would not require Design Review or other City approval and can be completed at the parties' convenience. However, consideration needs to be given to the required vision safety triangle within 20' of the intersection. Any structural additions, or changes to the directional signs in this location would require Design Review approval.
- Offering the use of the southeast, lower half of the corner of the building for a mosaic / mural: This would be designed and funded through the Gateway project at no cost to the applicant / business owner. Again, the applicant is requesting final approval of the design. This project would require Design Review approval from the Planning Commission.
- Removal of the three remaining pole lights at the driveway entrances: The applicant is willing to do this at his own expense. This portion of the project does not require a specific design or approval and can be completed by the applicant at his convenience. It appears that a building / demolition permit would be needed. This proposal would also help offset the increased lighting from the currently proposed backlit panel.
- Reduce the height of the 70' tall freeway logo sign: The applicant is willing to reduce the height of the sign, but not at his cost. This would have to be funded through the Gateway project. Any alteration of this sign would require Design Review approval by the Planning Commission.

TRINIDAD SIGN REGULATIONS

Definitions:

§17.08.610, "**Sign**," *"means any message, word, symbol, design, picture, or visual medium, which is intended to draw attention to a product, service, business, person, institution, location and is placed or painted on the ground or on any tree, wall, fence, rock, structure, or thing whatsoever, and placed thereon whether indoor or outdoor so as to be visible from off premises, exclusive of legal notices, safety, and directional signs posted by public agencies."*

§17.08.020, "**Advertising Area**," *"means the total number of square feet within the boundaries of a parallelogram or triangle which encloses the message, work, symbol, design, picture or visual medium visible on the surface of any sign. For signs where the letters of a word are each located on separate surfaces facing in the same direction, the advertising area shall be the total number of square feet within the boundary of separate parallelograms enclosing each letter. Where a sign includes surfaces facing in different directions, the advertising area shall be the largest total of advertising area visible from any one direction, and in the case of a cylindrical or spherical shaped sign, the advertising area shall be the largest cross section thereof."*

§17.08.620, "**Sign, freestanding**" *"means a sign which is supported by one or more uprights, poles, or braces in or upon the ground, and which is self-supporting in a fixed location and not attached to a building or structure."*

§17.08.630, "**Off-premise sign**" *"means a sign other than an on-site sign and includes signs erected by the outdoor advertising industry in the conduct of the outdoor advertising business."*

§17.08.650, "**On-premise sign**" *"means a sign relating in its subject matter to accommodations, services, commodities, or activities on the premises upon which it is located as distinguished from a sign which directs attention to or advertises an occupancy, accommodation, service, or activity supplied or originating on other premises."*

§17.08.690, "**Accessory structure**" *"means a detached building or structure, other than a sign, the use of which is accessory to the use of the lot."* (emphasis added).

§ 17.08.500, "**Nonconforming**," *"means a structure and/or land use which was lawfully established but which does not now conform to with the land use, yard, height, or other requirements and conditions of this chapter."*

Signs:

§17.56.160:

B. *In the PD, VS and C zones, on-premise signs shall be permitted, subject to the following regulations and the review of the [Planning Commission]:*

- 1. The total advertising area permitted for any parcel of land shall be one square foot for each foot of street frontage, provided that any parcel shall be permitted at least twenty*

square feet, but in no case shall the advertising area for any parcel exceed three hundred square feet. No individual sign established after the adoption of the ordinance codified in this title shall be greater than fifty square feet in area.

- 2. No freestanding sign shall exceed the maximum building height for the zone in which the sign is located. Signs attached to buildings shall not project more than three feet above the roof line.*
- 3. Signs projecting over public right-of-way...*
- 4. Signs that rotate, blink, sparkle...*

Nonconforming uses and structures:

§17.64.010

“The lawful use of lands or structures existing on the effective date of the regulations codified in this title, although such use or structure does not conform to the regulations applied to such property or structure, may be continued, except as provided as follows:

- A. Any structure conforming as to use but not conforming as to lot area, yards, height or other requirements herein at the effective date of the ordinance codified in this title may be altered, repaired or extended provided that such alteration, repair, or extension shall not increase the existing degree of nonconformance.*
- B. If any nonconforming building is destroyed...*
- C. Any change of a nonconforming use shall be to a conforming use, and a nonconforming use which has been discontinued for a period of one year or more shall not be re-established. A nonconforming use of a part of a lot or a structure shall not be extended throughout the lot or structure.*
- D. Any use for which a use permit is required by these regulations shall be considered a nonconforming use until a use permit is obtained.*
- E. Any signs, existing on the effective date of the ordinance codified in this title, but not conforming to the provisions of this title, shall be permitted to continue for a period of three years from the effective date of the ordinance codified in this title and shall be removed or conformed on or before that date. Signs advertising a discontinued use shall be considered nonconforming and shall be removed within thirty days of the discontinuance.*

State Regulations

The State also regulates certain aspects of gas station signage. California Code §13531(a) (Business and Professions Code) requires that *“every person offering for sale or selling any motor vehicle fuel to the public from any place of business shall display on the premises an advertising medium which complies with the requirements of this article and which advertises the prices of the three major grades or motor vehicle fuel offered for sale.”* One of these requirements is that the sign be clearly visible from each street adjacent to the service station. Note that the existing price sign is not fully in compliance with this section, as it is not clearly visible from Patrick’s Point Drive due to the angle. Another item of note is that jurisdictions are allowed (by ordinance) to exempt certain scenic corridors or historic preservation areas from these State requirements; Trinidad may want to consider this in the future. Code §13532 goes on to provide more specific requirements for these mandatory price signs. These include (but are not limited to): a) the price of each fuel in numerals not

less than 6" in height; b) the brand of the gas at not less than 1/3 of the size of the price; and c) the type and grade of fuel.

EXISTING SIGNS

The Planning Commission approved several signs as part of the application for the new Chevron Station in 1993. The only structures left standing from the previous service station was the 70' tall sign, the logo portion of the existing 'flag' sign, the driveway light poles, and some mechanical equipment. Sign approval including the following:

- 418' of street frontage = 300 s.f. maximum for total signage
- Signs considered by the Design Review Committee in 1993 are:
 - 100 s.f. 70' tall logo / freeway sign (includes 100 s.f. of advertising area per side, which = 100 s.f. per §17.08.020)
 - 16.5 s.f. "Food Mart" on building
 - 82.5 s.f. freestanding Chevron logo and gas prices (again, this square footage is on each side, but only counted once as defined in the Zoning Ordinance)
 - 36.0 s.f. "Chevron" lettering on the canopy roof (lettering on both canopies, but only counted once, facing opposite directions – see discussion under Total Sign Area below)
 - 5.0 s.f. logo on the canopy roof
 - 4.0 s.f. logo on pump spanner (should have been counted twice – once for each spanner)
 - 244 s.f. total (248 with the 2nd spanner)

Since the 1993 approval, new signs have been added without proper Design Review approval required by §17.56.160.B. These include the circular 'Aztec Grill' sign, the '24 hours' lettering on the building, various plastic squares and the portable diesel sign. Also, the originally approved 'Food Mart' has been replaced by 'Redwood Market' with a logo. These additional signs may bring the existing total signage to greater than the maximum allowed 300 sq. ft. Please also see the discussion about what constitutes a sign under the Zoning and General Plan consistency section below.

Additional signage and approximate square footage includes (note that I did not take actual measurements of these signs, but estimated the size based on submitted plans and photos):

- 'Aztec Grill' (12.5 sq. ft.)
- '24 hours' lettering (8 sq. ft.)
- 2 Plastic squares on building (15 sq. ft. total)
- 2 Plastic squares by pumps (15 sq. ft. total)
- Portable Diesel sign (12 sq. ft.)
- 'Redwood Market' replaced 'Food Mart' (16.5 sq. ft. – approx. same as previous)
- Equals approximately 62.5 sq. ft. of additional signage / 79 sq. ft. total

The existing signage at the Chevron Station, particularly the 70' tall freeway sign, has been the subject of some controversy over the past few years. The Gateway Committee can provide additional information, but from their inception, these signs have been of concern due to their impacts on the aesthetics of the entrance to town. In 2001 a letter was written to the

station operator explaining the purpose and goals of the Gateway Committee and requesting the consideration of downsizing the freeway sign. In 2002, the Committee provided a report to the City Council detailing their viewpoints on the necessity and legality of the tall sign. Staff responded with a memo dated March 14, 2002 that found no significant legal basis for the City to require that the sign be removed or altered. Several options were discussed at the March 2002 Planning Commission meeting, including further investigating and enforcing the 300 sq. ft. limit if it has been exceeded (Note – there is additional analysis of this issue below). The Planning Commission at the time determined that the best approach would be to attempt to work with the station owner on a voluntary basis to further the goal of uncluttering and improving the look of the entrance to town. It was decided to write another letter, again explaining the goals of the Gateway Committee, and also documenting how the situation has changed, making the sign's usefulness much lessened due to the growth of vegetation and addition of Cal-Trans signs. It is my understanding that the response from the operator was not favorable at the time, but may have changed with the current proposal and after a recent site visit by the owner.

ZONING ORDINANCE/GENERAL PLAN CONSISTENCY

General

Due to the unclarity of existing Zoning Ordinance language, there are several determinations that the Planning Commission should make during this hearing in order to make the review of this and future projects more clear. These are further described below and include:

- What constitutes a sign in terms of the Zoning Ordinance definition provided above which states *"so as to be visible from offsite"*
- How do setbacks apply to signs
- How to count the square footage on the canopy fascia panels

The property where the project is located is zoned C – Commercial. The purpose of this zone is to provide for the commercial services that meet the convenience and retail needs of the residents, visitors and the fishing industry. Service stations are a principally permitted use in this zone. The minimum lot size allowed in the C zone is 8,000 sq. ft.; the property is approximately 40,000 sq. ft. The maximum density allowed in the C zone is one motel unit per 2,500 sq. ft. of lot area, or one dwelling unit per 8,000 sq. ft. of lot area. The proposed project will not alter the density or lot size, and the existing improvements meet the current criteria.

Valances

This portion of the project involves a straightforward Design Review of the proposed valances that will replace the old ones which have already been removed. There are no zoning issues such as height or size associated with the proposed valances. However, the proposed internal LED lighting is a Design Review issue, and is future discussed in the next section.

Canopy Fascia Panels

Again, this portion is a straightforward Design Review. The three panels that are simply being replaced with new panels would generally be considered exempt from Design Review / Coastal Development Permit requirements under §17.72.070.C.2.g or §17.72.070.D allowing

for repair, maintenance or remodeling that does not affect the external profile or appearance of a structure. However, the forth panel, facing southeast toward the Main Street intersection, is proposed to be backlit with dark blue LED lighting. Other than the lighting, it will be the same as the existing panel but with the updated logo. A photo has been provided of what this will look like. I did see one in person recently, and the additional lighting was minor compared to other lighting at the station (although the Trinidad station has less overall lighting than the one I saw). Zoning Ordinance §17.56.160.B.4 prohibits signs that “*rotate, blink, flash, sparkle, resemble traffic control signs...*” The proposed continuous lighting would not fall under this category of prohibited signs.

Lighting and light intensity is not specifically regulated in the Trinidad Zoning Ordinance, although it often is in other cities. The applicant did not submit any technical information as to how the overall lighting on the property will be changing. It appears that some lighting will be added, and some has also been removed. The applicant has stated that he has voluntarily reduced some of the lighting under the canopy in response to public comments. Also, the applicant is proposing to remove the pole lamp adjacent to the driveways for aesthetic reasons, but this would also help to offset the increased lighting as a result of the new fascia panel. Although Trinidad has no formal lighting standards, this issue can be addressed by the Planning Commission through the Design Review process. Lighting may be appropriately discussed under Design Review finding ‘C’ that deals with the compatibility of materials and color used in construction. The Planning Commission may require, for example, that lighting not be increased on the site as a result of this project, which can be made a condition of approval.

Monument Sign / Setbacks

The Commercial zone (§17.44.060) requires a minimum front yard of 20’, and no rear or side yard except when adjacent to another zone, then a 5’ setback is required. Zoning Ordinance §17.08.410 defines the lot frontage for a corner lot as the side with the narrowest street frontage. That definition makes the lot side facing Patrick’s Point Drive the front. A street side yard is always required to be 15’ (§17.56.110). The project does not affect any setbacks except for the new monument price sign, and the setback requirements for such a structure are unclear. Accessory structures are required to meet only front and street side yards, but the definition of “accessory structure” as noted above specifically excludes signs. The definition of ‘yard’ (§17.08.730) is “*an open space abutting a lot line unobstructed and unoccupied from the ground upward except for certain exceptions allowed herein.*” Section 17.56.110 sets forth specific requirements for yards, fences, walls and hedges. Section A lists the types of structures that are allowed to extend into yards. Fences are not listed, but other language in this section makes it clear that they are allowed with height limits. Structures such as signs and flagpoles are not mentioned except in subsection F that sets forth requirements for the safety vision triangle at the street intersection for corner lots. Here it states “*Tree trunks, posts or columns not exceeding eighteen inches in cross-sectional width, measured at three feet above the established grade of either street, shall be permitted provided that tree branches...*” Although not specifically stated, this implies that, for example, a structure on a pole is allowed even though subsection ‘A’ does not list such a structure as allowed within setbacks.

Many on-premise signs are located adjacent to streets, and Trinidad is no exception, with many nearby examples. However, many of those signs never received approval, and the proposed monument sign does not seem to fit within any of the regulations. The purpose of the height limitations alongside streets is for safety purposes. The existing 'flag' sign is setback approximately 5' from the property line; the supporting pole is approximately 10' from the property line. That sign is 24' tall. The proposed monument sign is 5'-10" not including the base, which will add another 2' or so. There have only been a couple of sign approvals in this part of town that I know of. The Saunder's Market sign was approved 1995. The staff report included no discussion of setbacks; the sign pole is set back 10' from the street, where 15' is required for most structures. This sign did receive a Variance in order to exceed the 50 sq. ft. maximum. The other sign approval that I know of was the offsite Rancheria Casino sign near the corner of Main Street and Scenic Drive. The plot plan for this sign indicated it was "20' south of Main Street curb and 30' west of Scenic Drive edge of pavement." However, it appears to be only approximately 10' from each property line.

Since the Zoning Ordinance is silent as to setback requirements for signs, this will require some interpretation and policy setting by the Planning Commission. It is standard that these price signs are located adjacent to streets, particularly in consideration of State Law. The City of Arcata, which is notoriously strict when it comes to signage, allows freestanding gas station signs to be located anywhere on a lot (while limiting them to 15' in height). It also allows other types of freestanding signs, with height limits, to be located within setbacks (§1-0305.3). In making a determination, the Planning Commission should also consider how this affects other future and existing signs in Trinidad, many of which are already located adjacent to streets. There are other things that may be considered in making a decision, including how the sign will affect traffic visibility, which may dictate the exact location of the sign. Also, the existing landscaping and how it affects traffic visibility may be considered. The Planning Commission should also consider alternative locations if this sign is required to meet the 15' setback, including the likely possibility of the existing sign remaining instead. The new monument sign could be located in the same planter the flag sign is in now, but further back and meet all setback requirements. There is also some space in the middle planter along Patrick's Point Drive where there is about 5' of room behind the 20' front setback. However, in both of these locations, landscaping would probably have to be altered / removed in order to meet the State requirements for visibility. Staff would recommend that at a minimum, the monument sign be required to meet the vision safety setbacks of 15' from where a driveway crosses the property line and within 20' of the corner of Patrick's Point and Main. These have been indicated on the plot plan provided.

Freeway sign

Anticipating a discussion about the tall freeway sign, I would like to provide some additional information beyond what is required for the review of the proposed project. It is true that prior to the 1993 approval granting a use permit for this sign, it should have been removed or made conforming on at least one previous occasion – three years after the Zoning Ordinance was certified in 1980 per the nonconforming regulations listed above (§17.64.010). There is also a requirement that signs advertising a discontinued use must be removed after thirty days of discontinuance, and the signs (both the price sign and freeway sign) should probably have been removed when the station was demolished in 1992. However, plans for the new

gas station could have already been in the works, and therefore, the signs were not removed; this is really a moot point now. The sign was given Design Review approval in December 1993 after a noticed public hearing. In addition, the sign was also given a use permit to exceed the building height limitation, and this approval was not appealed. Although Zoning Ordinance §17.76.020 states that any permits issued by staff in conflict with the regulations shall be null and void, Design Review approval was issued by the Planning Commission not staff, and the City could probably not legally enforce this provision more than 13 years later, especially since it was not timely appealed.

The maximum building height allowed in the C zone, by Zoning Ordinance § 17.44.070 is 25 feet, except that a greater height may be allowed subject to obtaining a use permit (note this and the PR (Public and Religious) are the only zones that allow a greater height). This appears to be the only other thing a use permit can be granted for other than uses listed under each zone as uses allowed with a use permit. Zoning Ordinance §17.08.010 dealing with interpretation states that *"the word 'building' shall include the word 'structure.'"* This section therefore allows 'structures,' including signs, to exceed the building height with the approval of a use permit. Also, §17.56.160.B.2 states that no freestanding sign shall exceed the maximum building height. Therefore, this sign is no longer nonconforming as to height. However, it is still nonconforming as to size, since signs are not allowed to exceed 50 sq. ft. without approval of a variance (§17.56.160.B.1). Zoning Ordinance §17.64.010 clearly allows nonconforming structures to be *"altered, repaired or extended provided that such alteration, repair or extension shall not increase the degree of nonconformity."* The replacement of the sign face with an updated logo falls within repair or alteration and does not increase the size (or height) of the sign, and is therefore allowable under current regulations.

Existing Unpermitted Signs

The existing signs listed above as having been placed without Design Review approval should be reviewed under this application. They should be reviewed as though they have not already been constructed. These signs meet the size and other application regulations of the Trinidad Zoning Ordinance (except possibly total sign area – see below). The total sign square footage on the lot may not exceed 300 sq. ft., and these existing signs must still pass the Design Review criteria.

Total Sign Area

The Zoning Ordinance definition of signs is rather broad as far as including various content such as symbols and designs as well as actual lettering. However, the definition does include the caveat that signs only include advertising meant to be *"visible from off premises."* Although this is somewhat ambiguous / subjective as to what is "meant" to be visible offsite, it should only include the larger of the signs and not every logo and advertisement included on individual pumps. Therefore, size may be an appropriate criterion to determine what constitutes a sign. Zoning Ordinance §17.56.160 allows residences a nameplate up to 2 sq. ft. and home occupations a sign up to 3 sq. ft, which may be an appropriate cutoff (and is what I have used herein). The Planning Commission should direct staff to use a different criterion if deemed appropriate. In this case, the total signage area would likely have to be reanalyzed.

As noted above, the property has an allowable maximum of 300 sq. ft. of signage based on the 418' of street frontage. The Zoning Ordinance is clear that only one side of a two-sided sign is counted toward the square footage total, even if the sides are not identical. Similarly, only the cross sectional area of a spherical or cylindrical sign is counted. However, the ordinance is unclear as to how to count the square footage of the logos on the canopy. They are identical, and face opposite directions, indicating that the square footage would only be counted once to meet the intent of the Zoning Ordinance language; this was the interpretation taken in 1993. The Planning Commission should make a specific determination in relation to this project. This decision could make a difference of approximately 36 sq. ft. (depending on the definition of a sign decided on) in this analysis.

The total sign area as approved in 1993 was 248 sq. ft. (284 with the second canopy fascia depending on the Planning Commission's determination of how to count this). There is a question as to whether the current sign square footage, including the nonpermitted signs, equals a total greater than the maximum allowed 300 sq. ft. for the lot. The Zoning Ordinance is also unclear as to how to count the signs on the canopy fascias. Since the Zoning Ordinance is not clear, this analysis will include both square footages. For this sign inventory, I only included signs in excess of 3 sq. ft. as explained earlier to meet the requirement of "so as to be visible from off-premises" included in the definition of a sign (17.08.610). This does not include the various advertisements placed in the windows or the door of the market, or the various smaller symbols included on each pump, etc. The Planning Commission may direct staff to make a different interpretation. The current total signage, including the unpermitted signs listed above is 310.5 sq. ft. not counting both sides of the canopy. Counting both sides of the canopy brings the total existing square footage up to 346.5 sq. ft.

As you can see, whether or not to count the additional 36 sq. footage on the opposite canopy fascia makes a significant difference as to the magnitude of noncompliance. Now, the pump spanners have recently been removed, bringing the total down to 302.5 or 338.5 (depending on the aforementioned interpretation of the double sided canopy). However, the currently proposed monument price sign is substantially smaller (39 sq. ft. smaller) than the existing flag price sign that it will be replacing (43.5 sq. ft. vs. 82.5 sq. ft.), which will reduce the total square footage to 263.5 or 299.5. In addition, based on the submitted plans, it appears that the logos on the new pump valances will contain a smaller logo than the previous spanners (although there will be more of them). Each one of these logos will be approximately 2 sq. ft. If these smaller logos are not counted as 'signs' then the existing square footage remains unchanged. If they are determined to be a 'sign', then the square footage will be 273.5 or 319.5 (as there are logos on both sides of the valances). However, the new monument sign, which has room for the diesel price should eliminate the need for the portable diesel sign, thereby reducing the total square footage to 261.5 or 307.5.

The issue of exceeding the total allowable square footage has been suggested in the past as a means of affecting changes in signage on the lot. However, even if the total signage is below the maximum allowed after the Planning Commission makes their interpretation determinations, the unpermitted signs still need Design Review, and will have to be removed if not given approval (such as the plastic squares). Further, the applicant has expressed a willingness to comply with community aesthetics and work with the Gateway Committee to

reduce, alter and / or reorganize signage at the station on a voluntary basis. As noted above, the Gateway Committee will be making a presentation to the Planning Commission during the public hearing for this project and may provide additional suggestions.

Other zoning issues

Parking in the Commercial Zone is governed by Zoning Ordinance (§ 17.56.180) and is generally based on the square footage of the use / business. In this case, existing parking is in compliance with applicable regulations and the square footage and uses are not changing, and so no change in parking is required.

The Trinidad General Plan and Zoning Ordinance protect important public coastal views from roads, trails and vista points and private views from inside residences located uphill from a proposed project from significant obstruction. Although the tall Chevron sign has been accused of blocking views, the structure itself is not subject to review at this hearing. There will be no change in the profile of any of the proposed changes to existing structures that could potentially block views other than the price sign. It is assumed that a smaller, lower sign would improve views. Removal of the light posts could also improve views.

No grading or excavation is required for this project.

SLOPE STABILITY / ALQUIST PRIOLO:

The project site is not mapped as being unstable or of questionable stability on Plate 3 of the General Plan.

The project property lies within a Special Study (Fault Rupture) Zone, as designated by the State Division of Mines and Geology under the Alquist-Priolo Earthquake Fault Zoning Act. The purpose of the Zone is to ensure that local development patterns do not create seismic hazards. There are two fault zones within Trinidad: the Trinidad Head fault zone and the Anderson Ranch fault zone. Certain projects are exempt from these requirements, including new, single-story, single-family homes and alterations of existing structures. The proposed project falls under the latter exemption, and no studies are required. A geologic report was prepared for the 1993 reconstruction of the gas station and no evidence of fault rupture was found on the site.

SEWAGE DISPOSAL:

No change in sewage flow will result from the proposed project. The existing septic system was originally built in 1972. It was upgraded in 1993 to accommodate the new mini-mart and again in 2001 to accommodate the Aztec Grill. The project site is located on fill from the construction of Hwy 101, and so can not support a standard leachfield. Therefore, the leachfield for the Chevron station is located on the adjacent Museum / Park parcel. The current system is sized appropriately for the existing use and no changes are required for this project.

LANDSCAPING AND FENCING:

No changes in fencing or landscaping is proposed as part of this project. Required landscaping / screening is governed by §17.56.170. Subsection C requires screening along property lines separating a non-residential use from a residential use. It also requires screening of storage areas and screening of open areas with goods for sale from adjacent properties. None of these situations applies to this project. Subsection E requires landscaping between parking areas (of five or more vehicles) and the street that includes a tree and protecting curb, which is already provided on the southwest corner. The vision safety triangles at street driveway intersections (§17.56.110.C) only regulate 'fences, walls and hedges' and not individual plants. Most of the existing vegetation is relatively low and does not interfere with vehicle safety. However, §17.56.110.F does regulate any / all vegetation within 20' of a street intersection and requires that it not be more than 2.5' above the street grade. Some of the vegetation in the southeast planter appears to exceed this height. However, this vegetation does appear to be well-maintained, and there have been no safety complaints that I know of.

DESIGN REVIEW / VIEW PROTECTION FINDINGS:

Because the project is located within the Coastal Zone and alters the external profile and / or appearance of some structures on the property, §17.60.030 of the Zoning Ordinance requires Design Review and View Protection Findings to be made as well as approval of a Coastal Development Permit. The applicant submitted application materials on January 8, 2007 and additional materials on February 8, 2007. Application materials show the proposed changes and provide a rationale for them. Recommended Design Review / View Preservation Findings are written in a manner to allow approval, without endorsing the project. However, if public hearing information is submitted or public comment received indicating that views, for instance, may be significantly impacted, or the structure proposed is obtrusive, the findings should be reworded accordingly.

Design Review Criteria

- A. *The alteration of natural landforms caused by cutting, filling, and grading shall be minimal. Structures should be designed to fit the site rather than altering the landform to accommodate the structure.* Response: No grading is required for the proposed project.
- B. *Structures in or adjacent to open space areas should be constructed of materials that reproduce natural colors and textures as closely as possible.* Response: The project is not in or adjacent to any open space areas.
- C. *Materials and colors used in construction shall be selected for the compatibility both with the structural system of the building and with the appearance of the building's natural and man-made surroundings. Preset architectural styles (e.g. standard fast food restaurant designs) shall be avoided.* Response: The proposed changes do consist of 'preset architectural styles' that are used for most every other Chevron station. However, exterior materials and colors will be similar to the previously approved improvements. Changes

basically consist of maintenance and an update of the Chevron logo. The replacement of the flag price sign with a monument sign with a rock frame seems more compatible with the surrounding community than what currently exists. Reduction in the overall signage is also an improvement, particularly if some of the existing, nonpermitted signs are removed. Elimination of the Chevron color striping on the building may also be considered an improvement. The project is adjacent to the future City Park / Museum / Library parcel, which may be taken into consideration.

- D. *Plant materials should be used to integrate the manmade and natural environments to screen or soften the visual impact of new development, and to provide diversity in developed areas. Attractive vegetation common to the area shall be used.* Response: No change in landscaping is proposed. The existing landscaping is in compliance with the Zoning Ordinance, except for possibly exceeding the maximum height of 2.5' at the corner of Patrick's Point and Main Street (within 20'). The applicant has given written permission for the Gateway Committee to use the southeast planter as part of the Gateway project.
- E. *On-premise signs should be designed as an integral part of the structure and should complement or enhance the appearance of new development.* Response: This project mainly involves on-premise signs, which have been designed to be consistent with this and other Chevron stations.
- F. *New development should include underground utility service connections. When above ground facilities are the only alternative, they should follow the least visible route, be well designed, simple and unobtrusive in appearance, have a minimum of bulk and make use of compatible colors and materials.* Response: Underground utilities are already provided to the site.
- G. *Off-premise signs needed to direct visitors to commercial establishments, as allowed herein, should be well designed and be clustered at appropriate locations. Sign clusters should be a single design theme.* Response: No off-premise signs are associated with this project.
- H. *When reviewing the design of commercial or residential buildings, the committee shall ensure that the scale, bulk, orientation, architectural character of the structure and related improvements are compatible with the rural, uncrowded, rustic, unsophisticated, small, casual open character of the community. In particular:*
1. *Residences of more than two thousand square feet in floor area and multiple family dwellings or commercial buildings of more than four thousand square feet in floor area shall be considered out of scale with the community unless they are designed and situated in such a way that their bulk is not obtrusive.*
 2. *Residential and commercial developments involving multiple dwelling or business units should utilize clusters of smaller structures with sufficient open space between them instead of a consolidated structure.*
- This project does not involve any new buildings.

View Protection

- A. *Structures visible from the beach or a public trail in an open space area should be made as visually unobtrusive as possible.* Response: The project site is not readily visible from a beach, trail or open space area. Although the site of the future City Park is not officially zoned open space, it could be considered as such. That site is already generally screened from the station with fencing and landscaping. The project involves an update and maintenance of existing structures. The new monument price sign will be less visible and obtrusive than the existing flag price sign.
- B. *Structures, including fences over three feet high and signs, and landscaping of new development, shall not be allowed to significantly block views of the harbor, Little Trinidad Head, Trinidad Head or the ocean from public roads, trails, and vista points, except as provided in subdivision 3 of this subsection.* Response: The proposed project will not alter the external profile of any structures except for the price sign, which will be replaced with a smaller, lower sign.
- C. *The committee shall recognize that owners of vacant lots in the SR and UR zones, which are otherwise suitable for construction of a residence, are entitled to construct a residence of at least fifteen feet in height and one thousand five hundred square feet in floor area, residences of greater height as permitted in the applicable zone, or greater floor area shall not be allowed if such residence would significantly block views identified in subdivision 2 of this subsection. Regardless of the height or floor area of the residence, the committee, in order to avoid significant obstruction of the important views, may require, where feasible, that the residence be limited to one story; be located anywhere on the lot even if this involves the reduction or elimination of required yards or the pumping of septic tank wastewater to an uphill leach field, or the use of some other type of wastewater treatment facility; and adjust the length-width-height relationship and orientation of the structure so that it prevents the least possible view obstruction.* Response: The proposed project will not alter the external profile of any structures except for the price sign, which will be replaced with a smaller, lower sign.
- D. *If a residence is removed or destroyed by fire or other means on a lot that is otherwise usable, the owner shall be entitled to construct a residence in the same location with an exterior profile not exceeding that of the previous residence even if such a structure would again significantly obstruct public views of important scenes, provided any other nonconforming conditions are corrected.* Response: There was no residence that was destroyed by fire associated with this project.
- E. *The Tsurai Village site, the Trinidad Cemetery, the Holy Trinity Church and the Memorial Lighthouse are important historic resources. Any landform alterations or structural construction within one hundred feet of the Tsurai Study Area, as defined in the Trinidad general plan, or within one hundred feet of the lots on which identified historical resources are located shall be reviewed to ensure that public views are not obstructed and that development does not crowd them and thereby reduce their distinctiveness or subject*

them to abuse or hazards. Response: The proposed project is not within 100 feet of the Trinidad Cemetery, Holy Trinity Church, Memorial Lighthouse or the Tsurai Study Area.

STAFF RECOMMENDATION

Based on the above analysis, and as conditioned below, the proposed project can be found to meet the Design Review / View Protection requirements, as well as other provisions of the City's Municipal Code and General Plan. If the Planning Commission agrees with staff's analysis, the proposed motion might be similar to the following:

Based on the information submitted in the application included in the staff report and public testimony, I move to adopt the information and findings in this staff report and recommend approval of the project as conditioned below:

PLANNING COMMISSION ALTERNATIVES

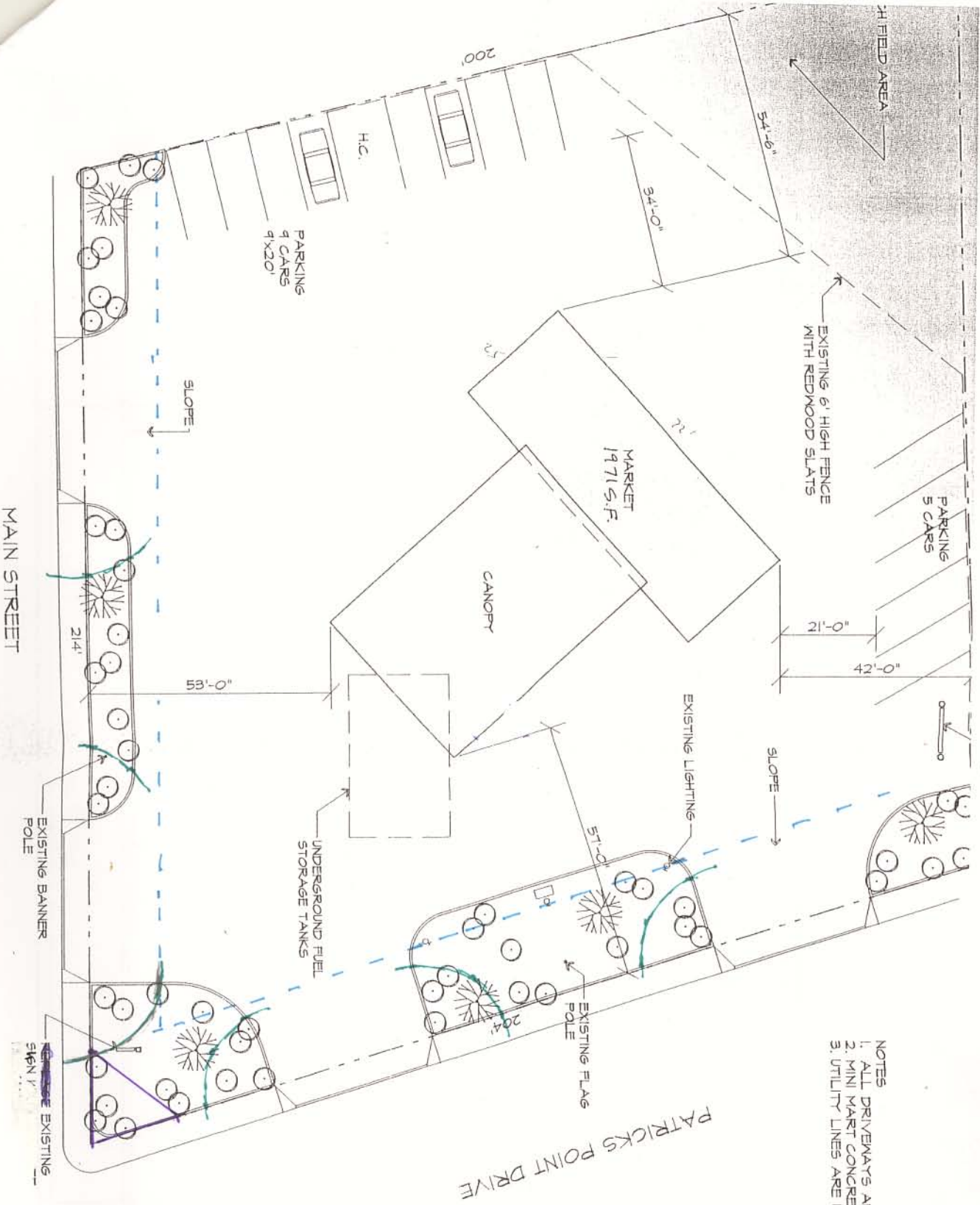
If the Planning Commission does not agree with staff's analysis, or if information is presented during the hearing that conflicts with the information contained in the staff report, the Planning Commission has several alternatives.

- A. Alter the proposed conditions of approval to address any specific concerns on the part of the Commission or the public.
- B. Delay action / continue the hearing to obtain further information.
 - In this case, the Planning Commission should specify any additional information required from staff or the applicant and / or suggestions on how to modify the project and / or conditions of approval.
- C. Denial of the project.
 - The Planning Commission should provide a motion that identifies the Finding(s) that can not be made and giving the reasons for the inability to make said Finding(s).

CONDITIONS OF APPROVAL

1. The applicant is responsible for reimbursing the City for all costs associated with processing the application. *Responsibility: City Clerk to place receipt in conditions compliance folder prior to building permits being issued.*
2. Based on the findings that community values may change in a year's time, design review approval is for a one-year period starting at the effective date and expiring thereafter unless an extension is requested from the Planning Commission prior to that time. *Responsibility: City Clerk to verify prior to building permits being issued.*

S I T E P L A N



Hi-rise sign

- NOTES
1. ALL DRIVEWAYS ARE EXISTING.
 2. MINI MART CONCRETE FLOOR SLAB IS EXISTING.
 3. UTILITY LINES ARE UNDERGROUND.

15' driveway clearance

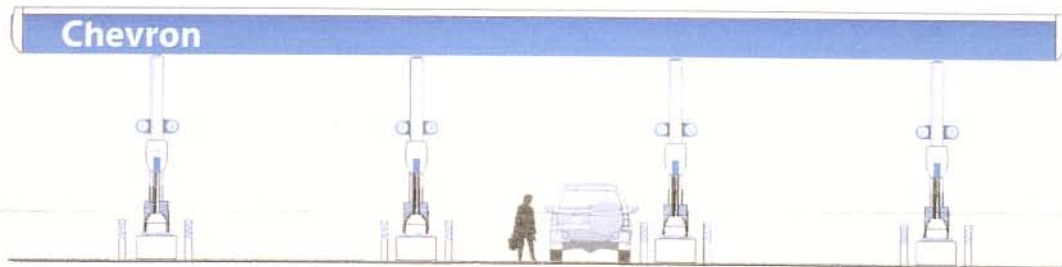
15'120' setback

= Intersection vision triangle

Scale
1"=30'



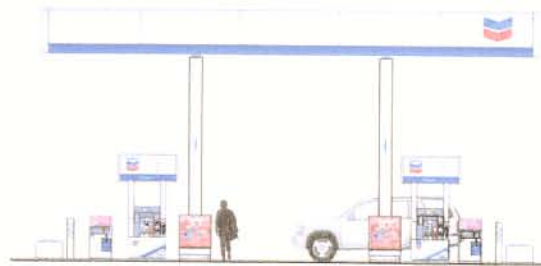
Site Level 1 Overview



L1 Level 1 - Front Elevation



L1 Level 1 - High-Rise Sign and Primary ID Sign



L1 Level 1 - Side Elevation



L1 Level 1 - Front and Side Elevations

Primary

Signage:

Primary ID Sign Hallmark and LPS Face (new)
High-Rise Sign Face and Cabinet (rectangular)
Paint Primary ID Pole

Canopy:

New Hallmark Signage
New Wordmark Signage
IR Blue Fascia
IR Blue Face LED Downlighter
IR White ACM Bullnose Canopy Return w/Bevel (lit)
IR Blue Lit Canopy Return Accent
IR Blue ACM/Vinyl Decal Canopy Return Accent

Fueling:

Illuminated G8 Spanner
Pump Skirt + PID (retrofit)
New Combo Trash Valet
Round Bollards
Round IR Silver Polypropylene Column Cladding
New 3x3 Fixture POP (stand-alone or clamshell)
Dispenser ID Flags

Optional

Fueling:

Planters

Introduction

Conversion Process

Site Level Determination
and Support Programs

Site Level Overview

Image Components

Decision Trees

HM21 Image Refresh
Guidelines

Installation Guide

Appendices

Monument Split Diesel Price APC Signs

The monument APC sign advertises important products and services to customers before they enter the station. They are an integral component of the modular primary ID sign system.

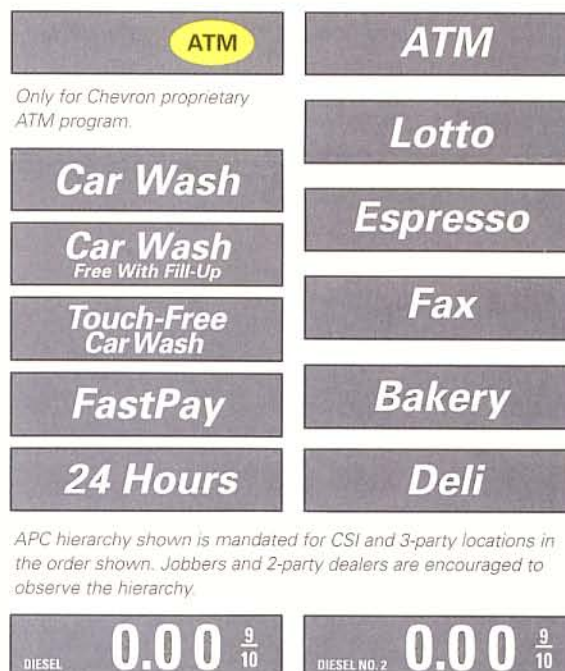
- If illuminated diesel price signs are needed and pole signs are allowed, the preferred choice is the pole sign.
- Install only one APC sign with the Hallmark and price sign unless diesel price sign is used.
- Dual-message APCs may not be used when the diesel price APC sign is used.
- When diesel price sign is used, only a single message APC sign can be used in the other split APC cabinet.
- Diesel LPS APC must be located under the LPS.
- When split APC signs are used, both APC signs must have a message. Blank APC panels are not permitted.
- Where illuminated diesel price signs are needed and monument signs are required, the split APC sign should be used.
- The split APC sign is only available in the following sizes: C-45 and only as a custom order for C-32.
- Existing FoodMart, Auto Service, Fast Lube and Diesel APCs are grandfathered as of September 1998.
- The proprietary Chevron ATM APC graphic is always installed under the Hallmark flush with the side closest to the LPS.
- Use of the proprietary Chevron ATM APC requires participation in the Chevron ATM program.

◀ Street Side



The monument primary ID with APC sign panel.

Type	Width	Height	Area Sq. Ft.
C-32M (Hallmark and price sign)	6'-11 1/2"	3'-10"	26.2
C-32M APC	3'-5"	1'-0"	3.4
C-45M (Hallmark and price sign)	8'-5 1/2"	4'-8"	38.8
C-45M APC	4'-2"	1'-2"	4.9



Only for Chevron proprietary ATM program.

APC hierarchy shown is mandated for CSI and 3-party locations in the order shown. Jobbers and 2-party dealers are encouraged to observe the hierarchy.

Available LPS sign panels, for the secondary APC location only.
Note: Food Mart, Auto Service, Fast Lube, Diesel, and Diesel No. 2 APCs are grandfathered.





732

Chevron

